

**THE KENTUCKY BOARD OF EXAMINERS OF PSYCHOLOGY MINUTES**  
**July 28 & 29, 2011**

A special meeting of the Board of Examiners of Psychology was held at Shaker Village Professions in Harrodsburg, KY on July 28 & 29, 2011.

**MEMBERS PRESENT**

Thomas W. Miller, Ph.D., Chair  
Barbara K. Jefferson, Ph.D., Vice-Chair  
Sally Brenzel, Psy.D.  
William G. Elder, Ph.D.  
Melissa Hall, M.S.  
Owen Nichols, Psy.D.  
Eva Markham, Ph.D.  
Danette Morton-Page, M.A.

**OCCUPATIONS & PROFESSIONS STAFF**

Julie Jackson, Board Administrator

**OTHERS PRESENT**

Mark Brengelman, Assistant Attorney General  
Stan Heck, Board Investigator  
Paula Berry, Board Investigator

**MEMBERS ABSENT**

Paula Glasford

**CALL TO ORDER**

Dr. Miller, Ph.D., Chair, called the meeting to order at 11:45 a.m. on July 28, 2011, ending at 5:00 p.m. and resuming at 11:05 on July 29, 2011, ending at 12:00 p.m.

**MINUTES**

The minutes of the June 6, 2011 meeting were called to the attention of the Board. A motion was made by Dr. Markham to approve the minutes as amended. The motion, seconded by Dr. Jefferson, carried.

**FINANCIAL REPORT & LEGAL FEES**

Financial statement for the month ending June 30, 2011 and legal fees for May 2011 were presented to the Board. A motion was made by Dr. Markham to accept the financial statement and legal fees. The motion, seconded by Dr. Nichols, carried.

**DIRECTOR'S REPORT**

Ms. Jackson updated the Board regarding the investigator contracts.

**LEGAL MATTERS**

A discussion was held regarding the appointment of a supervisor for Dr. James Cooksey, disciplined psychologist. A motion was made by Dr. Elder to contact Kim Jonason, Richard Purvis, James Bloch and Dennis Buchholz to inquire if they are available and interested in providing the required supervision to Dr. Cooksey. The motion, seconded by Dr. Jefferson, carried.

Mr. Brengelman held an Investigator training session with Dr. Heck and Dr. Berry from 9:00 a.m. to 10:00 a.m. on July 29, 2011.

**COMPLAINTS SCREENING COMMITTEE**

- Case 00-05 – The Complaints Committee made a motion to go into closed session to discuss pending litigation in *Maggard v. Kentucky Board of Examiners of Psychology*, per KRS 61:810 (1) (c) and (j). The motion, seconded by Ms. Hall, carried.  
A motion was made by the Complaints Committee to return to open session. The motion, seconded by Dr. Brenzel, carried.

The Complaints Screening Committee made a motion for Mr. Brengelman to file an interlocutory appeal of the Franklin Circuit Court Order entered July 26, 2011 to the Court of Appeals. The motion, seconded by Dr. Brenzel, carried. The Board voted with all in favor.

- Case 03-12 and 06-05 – The Complaints Screening Committee made a motion to file a Notice of Administrative Hearing. The motion, seconded by Dr. Elder, carried. Melissa Hall serves as Case Manager.
- Case 10-19 – Ongoing.
- Case 10-21 – Mediation is set for August 23, 2011. Melissa Hall serves as Case Manager.
- Case 10-22 – The Board filed a Notice of Dismissal due to the death of the psychologist.
- Case 10-23 – The Complaints Screening Committee made a motion to approve the presented Settlement Agreement. The motion, seconded by Dr. Jefferson, carried.
- Case 10-24 – A hearing date is set for September 20, 2011 likely in Eddyville, KY. Mr. Brengelman inquired as to which Board members will be available to attend. Dr. Miller and Dr. Brenzel both stated they may be available.
- Case 10-27 – An Administrative Hearing is set before the Board for Monday September 12, 2011 starting at 12:30 p.m. after the morning's Board meeting.
- Case 10-30 – Ongoing.
- Case 11-01 – Ongoing.
- Case 11-03 A & B – Ongoing.
- Case 11-04 – Ongoing.
- Case 11-05 – The Complaints Screening Committee made a motion to accept the Cease and Desist Affidavit signed by the Ohio psychologist. The motion, seconded by Dr. Elder, carried. The Board voted with all in favor.
- Case 11-06 – The Complaints Screening Committee made a motion to file a Notice of Administrative Hearing to deny the application for a license. The motion, seconded by Dr. Nichols, carried. The Board voted with all in favor. The Board gave settlement authority to Board Counsel
- Case 11-07 – Ongoing.
- Case 11-09 – Ongoing.
- Case 11-10 – The Complaints Screening Committee made a motion to investigate. The motion was seconded by Dr. Nichols. The Board voted with two (2) in favor, two (2) opposed and one (1) abstained. Dr. Miller voted in favor to carry the motion. Stan Heck will conduct an investigation by phone. Dr. Markham serves as Case Manager.

- Case 11-11 – The Complaints Screening Committee made a motion to dismiss the case. The motion, seconded by Dr. Nichols, carried. The Board voted with all in favor.

The members of the Complaints Screening Committee recused from voting on the above recommendations of the Committee.

### **COMMITTEE REPORTS**

**Supervision Committee** – Supervision files/forms were not reviewed at this meeting.

**Continuing Education Committee** – Applications reviewed and notations made. Ongoing and routine monitoring.

**Credentials Review Committee** – Ongoing and routine monitoring.

**Examination Committee** – The next exam will be held on September 16, 2011.

**Disciplined Psychologists Reports** – A letter from Dr. Heck regarding the supervision of Lynn Pierson was reviewed and discussed. Dr. Heck advised that supervision is going well.

### **EXPIRED LICENSURE REPORT**

There were no expired licenses for the month of March.

### **OLD BUSINESS**

None

### **NEW BUSINESS**

**Forms and letters** – Board forms and letters were reviewed and revised. Dr. Nichols discussed moving to random audits for the renewal process in place of every licensee being audited. He suggested that an attesting statement confirming that a licensee has completed the required CEUs, including three hours of ethics or risk management and advanced supervision if required, be placed on the paper and online form. A paper form will be sent to those selected for audit. The motion, seconded by Dr. Jefferson, carried. Dr. Elder requested that the expiration date of approved supervisors be added to the supervisor/supervisee list for use when reviewing supervision files or applications.

**Orientation packet** – Discussion was held regarding the improvement of the packet. Suggestions include information about the lifecycle of the complaint process, a glossary of terms, information regarding national and state psychological associations, and notice that the Sexual Harassment course on disc must be reviewed by Board members. A motion was made by Dr. Elder to approve the review of the Sexual Harassment course for Ethics CEUs for Board members. The motion was amended to include Risk Management CEUs. The motion did not carry. A motion was made by Ms. Morton-Page to approve Ethics CEUs for the review of the course. The motion, seconded by Dr. Markham, carried.

**Retention schedule** – Deferred until the September meeting.

**Discrepancy in law booklet regarding supervised experience** – Deferred until the September meeting.

**Exam data** – Nate Mitchell has agreed to run a report when the exam data is available. Dr. Brenzel and Dr. Markham will assist. Ms. Jackson will check with management to determine if a contract is necessary for the work of Dr. Mitchell.

**Digital recorders for exams** – A motion was made by Ms. Hall to approve the purchase of digital recorders for use at exams. The motion, seconded by Dr. Brenzel, carried. A motion was made by Dr. Nichols to approve the price of each recorder at \$200.00 or under. The motion, seconded by Dr. Markham, carried.

**Email from Benjamin Anderson regarding Health Service Provider designation** – The email was discussed and it was determined that if Mr. Anderson remained under supervision since passing the structured exam, then the hours obtained during the temporary licensure will count toward the required eighteen hundred (1800) hours.

**October ASPPB conference in Chicago** – A motion was made by Dr. Jefferson for Dr. Elder, Dr. Markham, Ms. Morton-Page and Mr. Brengelman to attend the conference. The motion, seconded by Dr. Markham, carried.

**CONFLICTS**

None

**SCHEDULE NEXT MEETING**

The next Board meeting will be held on September 12, 2011 at the Office of Occupations and Professions, Frankfort, KY.

**TRAVEL AND PER DIEM**

A motion was made by Dr. Markham to approve payment of travel expenses and per diem compensation for eligible members attending today's meeting. The motion, seconded by Ms. Hall, carried.

**ADJOURNMENT**

A motion made by Dr. Markham to adjourn the meeting at 12:00 p.m. The motion, seconded by Dr. Elder, carried.

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Thomas W. Miller, Ph.D. ABPP  
Board Chair